



UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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LAUREN DENIKE,
As administrator of the Estate of John Zippo

Plaintiff,

- against -

CITY OF NEW YORK, et al,

Defendants.
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23-CV-0865 (VSB) (RWL)

ORDER

ROBERT W. LEHRBURGER, United States Magistrate Judge.

As discussed (and modified or supplemented herein) during the discovery conference held via Microsoft Teams on November 7, 2024:

1. By **November 14, 2024**, the parties shall meet and confer regarding Plaintiff's document request No. 2; specifically, the scope of documents to be produced that underly the summary email of Defendants' disciplinary histories.
2. With respect to ESI communications between DOC and CHS concerning Mr. Zippo, Defendants shall conduct due diligence to arrive at proposed custodians, and shall then meet and confer with Plaintiff accordingly by **November 14, 2024**.
3. With respect to *Monell* discovery, and in lieu of Plaintiff's document requests 9, 10, and 11, by **November 14, 2024**, Plaintiff shall serve Defendants with revised discovery requests that substantively detail the documents sought without regard to whether they have been produced in other litigation.
4. By **November 18, 2024**, Defendants shall produce the memoranda responsive to Plaintiff's document requests 17-19.

5. By **November 21, 2024**, Defendants shall produce ESI communications concerning Mr. Zippo between DOC and Parole.
6. As Defendants have produced policies and procedures in response to document requests 18-23, the issue of obtaining a date certain for production is moot.
7. No *Monell* discovery need be made prior to the settlement conference currently scheduled for November 26, 2024.

SO ORDERED.

A handwritten signature in black ink, appearing to read 'R. Lehrburger', is written above a horizontal line.

ROBERT W. LEHRBURGER
UNITED STATES MAGISTRATE JUDGE

Dated: November 8, 2024
New York, New York

Copies transmitted this date to all counsel of record.